

THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
PUBLIC HEALTH SERVICE  
CENTERS FOR DISEASE CONTROL AND PREVENTION  
NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

convenes the

WORKING GROUP MEETING

ADVISORY BOARD ON  
RADIATION AND WORKER HEALTH

ROCKY FLATS

The verbatim transcript of the Working  
Group Meeting of the Advisory Board on Radiation and  
Worker Health held telephonically on November 26,  
2007.

STEVEN RAY GREEN AND ASSOCIATES  
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November 26, 2007

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### TRANSCRIPT LEGEND

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-- (sic) denotes an incorrect usage or pronunciation of a word which is transcribed in its original form as reported.

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-- "uh-huh" represents an affirmative response, and "uh-uh" represents a negative response.

-- "\*" denotes a spelling based on phonetics, without reference available.

-- "^"/ (inaudible)/ (unintelligible) signifies speaker failure, usually failure to use a microphone.

**P A R T I C I P A N T S**  
(By Group, in Alphabetical Order)

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BARRIE, TERRIE, ANWAG  
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## P R O C E E D I N G S

(10:00 a.m.)

WELCOME AND OPENING COMMENTS

**DR. BRANCHE:** This is a meeting of the, a conference call of the working group of Rocky Flats' site profile and SEC petition. And I'd like, please, for the Board members to identify themselves who are on the call.

**MR. GRIFFON:** Mark Griffon, the Chair of the work group.

**MR. GIBSON:** Mike Gibson.

**MS. MUNN:** Wanda Munn.

**DR. BRANCHE:** Thank you very much. I'm going to go through a little housekeeping here for just a moment.

Are there any other members of the Board who are on the call?

(no response)

**DR. BRANCHE:** All right. Would NIOSH staff and ORAU staff please identify yourselves and also mention if you have a conflict when you identify yourself.

**MR. ELLIOTT:** This is Larry Elliott. I have no conflict.

1                   **DR. ULSH:** Brant Ulsh, no conflict.

2                               (30-second power failure)

3                   **DR. BRANCHE:** Any other members of Congress  
4 or their representatives on the call, please?

5                   **COURT REPORTER:** Dr. Branche, this is Shane.  
6 We had a power flicker here at the house. I  
7 missed about the last 30 seconds. That's  
8 where it went off, but I've got you back. Go  
9 ahead, thank you.

10                  **DR. BRANCHE:** There were three people who  
11 identified themselves as petitioners. Did you  
12 catch any of their names?

13                  **COURT REPORTER:** No, I didn't. If you could  
14 have them again, I'd appreciate it.

15                  **DR. BRANCHE:** Please forgive us. There was  
16 a power flicker. Could we please have the  
17 petitioners or their representatives mention  
18 their names again, please?

19                  **MS. BARRIE:** This is Terrie Barrie, T-E-R-R-  
20 I-E, B, as in boy, A-R-R-I-E of ANWAG.

21                  **DR. BRANCHE:** Thank you.

22                  **MS. BARKER:** This is Kay Barker, B-A-R-K-E-R  
23 of ANWAG.

24                  **DR. BRANCHE:** Thank you very much. I  
25 appreciate that.

1                   Are there any other people on the call  
2                   who would like to identify themselves?

3           **MS. HOMOKI-TITUS:** This is Liz Homoki-Titus  
4           with HHS.

5           **DR. BRANCHE:** Thank you, Liz.

6           **DR. WADE:** And Lew Wade with NIOSH.

7           **MS. HOWELL:** This is Emily Howell with HHS.

8           **MR. SHARFI:** Mutty Sharfi with ORAU.

9           **DR. BRANCHE:** Thank you, and I'm Christine  
10           Branche, and I'm with the office of the  
11           Director of NIOSH.

12                   Dr. (sic) Presley, have you joined the  
13           call?

14                   (no response)

15           **DR. BRANCHE:** Okay.

16           **MR. GRIFFON:** Christine, can I ask is anyone  
17           from the Department of Labor on the call?

18                   (no response)

19           **MR. GRIFFON:** I guess that's a no.

20           **DR. BRANCHE:** I guess that's a no.

21                   Before I hand it over to the Chair I  
22           just want to please ask everyone if you are  
23           going to speak, please go ahead and speak into  
24           the phone directly so that our recorder can  
25           get all of your words. But if you're not



1 speaking if you could please mute your phone,  
2 it will help all of us better hear the phone  
3 conversation. Thank you very much.

4 Mark.

5 **INTRODUCTION BY CHAIR**

6 **MR. GRIFFON:** I just wanted to, I set up  
7 this work group call for our Rocky Flats work  
8 group. Obviously, we haven't met in quite a  
9 while.

10 **MEMBERS OF THE CLASS, NEUTRON ISSUES, '52 - '66**

11 But the reason for this call, there's really  
12 only one agenda item, and it is a follow up on  
13 the implementation of the Rocky Flats' class,  
14 specifically what workers are considered as  
15 members of the class, or should be considered  
16 members of the class based on the question of  
17 monitored or should have been monitored for  
18 neutron exposures from '52 through '66.

19 And I know that the, you know,  
20 generally speaking, the implementation of that  
21 class is a Department of Labor decision as we  
22 know. But we did leave, as a work group we  
23 did ask NIOSH in our decision in Denver to  
24 please as an action provide a listing of  
25 buildings that NIOSH believed to be buildings

1           where workers that were in those buildings  
2           during that time period should be considered  
3           part of the class. And therefore, that's why  
4           I think we just wanted to follow up on this.

5                     And it was sort of highlighted by the  
6           interest by the petitioners and others  
7           watching this process, particularly the four  
8           newspaper stories. If folks haven't seen  
9           them, I think there's four newspaper stories  
10          that have come out in the Rocky Mountain News,  
11          November 7<sup>th</sup>, November 9<sup>th</sup>, November 10<sup>th</sup> and  
12          November 24<sup>th</sup>. If you don't have those, we can  
13          certainly get copies around. I don't know if  
14          everyone has all four of the stories.

15                    But the primary subject touched on in  
16          these stories was that, was sort of  
17          questioning whether the number of buildings  
18          indicated by NIOSH was all-inclusive of the  
19          way we had written up the SEC class. And, in  
20          fact, the article, or one of the articles  
21          suggests that there's evidence that workers in  
22          some other buildings were exposed to neutron  
23          radiation between '52 and '66. So, and this  
24          is, I think, derived from the University of  
25          Colorado research. Margaret Ruttenber did

1 speak to this a little bit.

2 And just as a reminder, early on in  
3 our work group we had a matrix item where we  
4 did look at, we knew that the University of  
5 Colorado had done the medical surveillance  
6 study, and we expressed interest in looking at  
7 this data. NIOSH then -- and if I get this  
8 wrong, Larry or Brant can correct me -- but my  
9 understanding is NIOSH did go to the  
10 University of Colorado, review this data, and  
11 basically determined that it was, as far as  
12 the radiation exposure data itself, it was not  
13 anything different than we already had  
14 available to us for review, and therefore, it  
15 wasn't going to, you know, we didn't pursue it  
16 any further, or NIOSH didn't pursue it any  
17 further as far as getting copies of it or  
18 getting electronic copies of it and making it  
19 available to the work group.

20 So that's sort of the background of  
21 this, and I guess my reason for the call is  
22 just to, I think we all need to better  
23 understand maybe, you know, it seems that  
24 this, the newspaper articles are raising at  
25 least a question in the minds, you know, for

1           some people, as to whether we are or NIOSH and  
2           DOL are identifying all people that were  
3           monitored or should have been monitored for  
4           neutron exposures.

5                   And we as the Board, I think, should  
6           at least monitor this process so that we make  
7           sure we, you know, the class as we suggested  
8           be implemented appropriately. So I guess I  
9           would just maybe throw it open to ask NIOSH if  
10          they can help us shed some light.

11                   The other thing we might need to do  
12          here -- I'll just throw this out right up  
13          front -- is we may need to determine, and this  
14          may require a, more of a technical phone call  
15          with the University of Colorado and NIOSH to  
16          sort of, and maybe with the Board on the line  
17          or SC&A on the line to sort out what data  
18          we're looking at; what data they're looking at  
19          and make sure that we are comparing apples and  
20          apples, you know, whether we have the same  
21          data or not. I think that may, that's sort of  
22          down in the weeds and may require a sort of  
23          technical phone call between the University of  
24          Colorado and NIOSH with maybe the Board  
25          monitoring.

1           **MS. HOMOKI-TITUS:** Mark, this is Liz Homoki-  
2 Titus. Since this is a DOL decision, it's  
3 just my recommendation that you might want to  
4 try to include them as well.

5           **MR. GRIFFON:** Yeah, DOL is who I was hoping  
6 they were on the call today actually, too.  
7 But, yeah, you're right, Liz. So we're really  
8 monitoring it from the standpoint of the work  
9 group had sort of asked NIOSH to do the best  
10 research they could to provide a listing of  
11 buildings. And then after that, you're right,  
12 it is up to DOL so they should probably be in  
13 the loop as well.

14          **MS. MUNN:** Mark, this is Wanda Munn. I  
15 haven't seen that most recent article you  
16 indicated, the 11/24 one. Those things don't  
17 always come through unless someone is tracking  
18 the media publications.

19          **MR. GRIFFON:** I will try to get a copy of  
20 that to you unless some has it readily  
21 available. I have a hard copy but not --

22          **MS. MUNN:** I don't necessarily need it  
23 today, but at your convenience if I could have  
24 a copy.

25          **MR. GRIFFON:** Yeah, certainly.

1                   **MS. MUNN:** Thank you.

2                   **MR. GRIFFON:** So I don't know. I guess I  
3 would ask maybe if Larry or Brant could give  
4 us a sense, did I mischaracterize anything,  
5 and maybe we could decide on a reasonable path  
6 forward just to make, I mean, I think it's in  
7 all of our best interests to make sure we get  
8 this listing of buildings and the right people  
9 in the class. So I think --

10                  **MR. ELLIOTT:** Mark, this is Larry Elliott.  
11 Let me speak to a couple things here for you.  
12 I'll ask Brant to fill in what I haven't  
13 spoken to or reflected upon.

14                         First of all, I would clarify that we  
15 don't think the Board asked us to provide a  
16 list of buildings we thought the Board, it was  
17 our job to provide DOL any way possible for  
18 them to assist them in determining eligibility  
19 for class members. And we pointed to the NDRP  
20 and its contents and said that these, the NDRP  
21 has a list of buildings, and it also has a  
22 list of employees who were monitored or should  
23 have been monitored in those buildings. And  
24 if you look at the DOL circular, or actually a  
25 technical bulletin on this, which is 08-01,

1           dated October 15<sup>th</sup>, 2007, there are three  
2           screening criteria that DOL uses to assist in  
3           determining eligibility of a claimant for  
4           these two classes. The first is inclusion in  
5           the Rocky Flats Neutron Dosimetry  
6           Reconstruction Project list. And the second  
7           is any previously completed NIOSH dose  
8           reconstruction for a named employee which  
9           includes neutron exposure or mentions exposure  
10          to plutonium. And the third is employment in  
11          a building identified as a plutonium building.  
12          So we assisted in providing and pointing to  
13          the NDRP and the list of buildings that it  
14          contained for DOL. We have had conversations  
15          with DOL about the claims that were in our  
16          hands at the point in time. We gave them a  
17          list of claims that had been sent to NIOSH  
18          that contained what we thought to be a  
19          presumptive cancer. We gave them another list  
20          of claims that we had here that were non-  
21          presumptive cancer. And that's essentially  
22          the standard practice that is employed here in  
23          engaging DOL on any of these classes. I'm  
24          sorry that they're not on the line today to  
25          speak directly to any questions or concerns

1           that you may have here. As DOL started  
2           working through these claims, they come across  
3           this Building 881. They talked to us about  
4           Building 881. We told them that building, as  
5           Brant had presented in his presentation, I  
6           believe, in June -- he can speak to this --  
7           that Building 881 had very miniscule, small  
8           amounts of plutonium activity in that  
9           building. It was a building where they  
10          reconditioned the uranium pits and the  
11          cladding. The plutonium cladding had already  
12          been removed so they were using an acid bath  
13          to wash, to remove any residual plutonium from  
14          those pits and clean them up. In that case it  
15          had been our opinion that neutron exposures  
16          were de minimis there in Building 881. Be  
17          that as it may -- and we talked to DOL about  
18          that. Be that as it may, DOL pointed out that  
19          in a couple or so many of our reconstructed  
20          cases that NIOSH had used, I guess, a  
21          claimant-favorable approach and given neutron  
22          exposure to people who may have worked at  
23          Building 881. So that fit the second  
24          screening criteria. And so they have added  
25          Building 881 to their list with no objection



1 from us. We found that to be, if that's the  
2 way they wanted to approach it, we understood  
3 that, and we found that to be okay. So I  
4 don't know where you want to go with this at  
5 this point but --

6 **MR. GRIFFON:** Yeah, I guess --

7 **MR. ELLIOTT:** Do you have anything to add to  
8 this, my -- background?

9 **DR. ULSH:** Yes, I do actually. As you know,  
10 the Neutron Dose Reconstruction Project  
11 included people who were monitored for  
12 neutrons or people who were monitored for  
13 gamma but not neutrons if they worked in a  
14 plutonium building. One of the topics that  
15 the Board asked us to report further on it at  
16 the May Board meeting included plutonium in  
17 Building 881.

18 And I did report on that in my  
19 presentation at the June Board meeting and  
20 specifically talked about the operation that  
21 Larry mentioned where they received weapons  
22 back from the field that were being  
23 decommissioned. The plutonium was removed in  
24 the 700 buildings, and the pits were shipped  
25 over to Building 881. It contained what

1 workers termed trivial or nuisance levels of  
2 plutonium. Certainly not enough to generate  
3 significant neutron fields.

4 Those uranium parts were washed in  
5 Building 881 in acid, and the acid was shipped  
6 back to Building 771. So there's no evidence  
7 that there were significant neutron fields in  
8 Building 881. So that's that building.

9 Now as Mark mentioned, the Rocky  
10 Mountain News has been reporting that there  
11 are 19 other buildings that should be  
12 considered neutron buildings. And this past  
13 Saturday, the latest article that I have,  
14 actually gave a list of those buildings that  
15 they assert were neutron buildings. And this  
16 morning I verified the descriptions of those  
17 buildings, what they actually did.

18 And last week I actually verified with  
19 the records people out at Rocky Flats that  
20 there were no reportable quantities of uranium  
21 -- I'm sorry -- of plutonium in Building 881  
22 or any buildings other than listed in the  
23 NDRP. Now in the newspaper article this past  
24 Saturday, they had a list of buildings, and I  
25 got the descriptions.

1                   And I'm not going to go through all of  
2                   them, all of the 19, but they include, for  
3                   example, Building 111 which is an office,  
4                   print shop, photography lab; Building 112  
5                   which is a general cafeteria, Building 750,  
6                   which is a cafeteria, 333 which is a paint  
7                   shop. So it goes on and on. I have not  
8                   spoken to the reporter at the Rocky Mountain  
9                   News about this so I don't know what criteria  
10                  she's using to say that these are neutron  
11                  buildings.

12               **MR. GRIFFON:** And some of this I think can  
13               be, I think we need to understand. Let me  
14               just say a couple things. One, on 881, we did  
15               as a work group ask, that's correct, Brant.  
16               And I think one thing that you're not  
17               mentioning is that we also, I think -- and  
18               correct me if I'm wrong -- you reported or  
19               agreed with findings that we said there were  
20               also some critical experiments that were done  
21               in 881.

22               **DR. ULSH:** That is correct.

23               **MR. GRIFFON:** So it wasn't only the  
24               plutonium contamination then --

25               **DR. ULSH:** And those were critical

1 experiments involved a couple of people who  
2 were already part of the NDRP. I could  
3 identify them by name.

4 **MR. GRIFFON:** Right, and we had this  
5 discussion of whether it was one or two or  
6 whether it could have been more people  
7 involved, and we never really resolved that.  
8 Or I didn't feel that we resolved it. You  
9 might have felt comfortable with that. But  
10 that was sort of hanging out there, too, as  
11 another thing that went on in that building.

12 **MS. BOLLER:** Mark, I'm sorry to interrupt,  
13 but this is Carolyn Boller. I'm going to have  
14 to hang up. I've got a doctor's appointment.  
15 But it seems to me that 881 is no longer an  
16 issue since the Department of Labor has put  
17 that on the list --

18 **MR. GRIFFON:** I agree.

19 **MS. BOLLER:** -- so if we can get off of 881.  
20 What I would like to know is this list of 19  
21 buildings, is I would like somebody, and I'm  
22 willing to do this or somebody else, pick up a  
23 phone and call Laura Frank at the Rocky  
24 Mountain News, somebody from the Board, and  
25 find out where she got her information and

1                   what she based it on, if she will share that  
2                   information with you.

3                   A second piece of it, I think that  
4                   someone needs to talk to Margaret about Jim's  
5                   studies because allegedly all of these 19  
6                   buildings came from the Ruttenber studies. So  
7                   somebody needs to have a follow-up  
8                   conversation with her to find out what  
9                   Margaret is willing to share with us and how  
10                  did they come, did they have something in  
11                  their study that you all might have missed  
12                  early on?

13                **MR. ELLIOTT:** It was a standard study,  
14                Carolyn. Brant Ulsh has been there. NIOSH,  
15                you know, this study was done under a  
16                cooperative agreement with NIOSH money. The  
17                study was also to look at toxic chemical  
18                exposures as well as radioactive material  
19                exposures.

20                And we're not quibbling that there is  
21                this list of buildings in that study. We're  
22                not quibbling that there was toxic exposure in  
23                those buildings. We had no quibbles at all  
24                with the study itself. And in Brant's review  
25                of the information that Dr. Ruttenber had

1 assembled for his study, you know, we were  
2 prepared to negotiate with Dr. Ruttenber to  
3 get any information that we had not yet seen  
4 or been made available to us.

5 And Brant's determination was that we  
6 had all of that information already. We were  
7 receiving it or had received it, and there was  
8 nothing new there to offer in dose  
9 reconstruction or in an SEC evaluation.

10 **MS. BOLLER:** And I think, if I understand  
11 correctly, 881 was added not only because it  
12 met the criteria as well, it was because they  
13 had had people who had indicated that they'd  
14 had neutron exposure in their claims. So 881  
15 was added to take care of those folks. You've  
16 got a lot of people, you know, who you don't  
17 have records of who moved in and out of some  
18 of these buildings. Maybe they weren't  
19 permanently assigned there, but they moved in  
20 and out, and they may have spent some degree  
21 of time. I think those are going to be the  
22 problem cases.

23 **DR. ULSH:** Well, the people who worked in  
24 Building 881 who had neutron exposure were  
25 those who worked overtime periodically in one

1 of the plutonium buildings, and when they did  
2 so they were issued a neutron dosimetry, and  
3 they were already part of the NDRP class.

4 I agree with you that 881 is already  
5 off the table because DOL has made their  
6 decision.

7 **MS. BOLLER:** So can you send us, Brant, can  
8 you send us that list of 19? I didn't see the  
9 article in Saturday's paper, but do you have a  
10 one- or two-liner on each of those buildings  
11 that you could share with this group?

12 **DR. ULSH:** I have 17 of the 19.

13 **MR. GRIFFON:** I was actually going to ask  
14 the same thing. If you can send that around,  
15 Brant, to the work group that'd be very useful  
16 to see what these buildings are.

17 **DR. ULSH:** It's like a five or six word in  
18 some cases description of what the building  
19 was, and I can pass that.

20 **MS. BOLLER:** Great. I appreciate you, Mark,  
21 setting up this call, and everybody who's on  
22 it. I've got to run, so thank you very much.

23 **MR. GRIFFON:** Thank you, Carolyn.

24 **MR. KOTSCH:** Mark, Mark, this is Jeff  
25 Kotsch. I'm sorry -- with Labor. I just,

1 I've been on the call for about ten minutes.  
2 I got in a little late.

3 **MR. GRIFFON:** Thank you, Jeff.

4 **MR. KOTSCH:** So if there's anything I can  
5 help you with belatedly, let me know.

6 **MR. GRIFFON:** Yeah, I'm glad you're on the  
7 call. I think if we, I was actually going to  
8 recommend sort of the same path that was just  
9 mentioned, that we do a follow-up sort of  
10 technical call with Margaret Ruttenber and  
11 that might be a point where we would want  
12 NIOSH and DOL on there. And basically to  
13 understand because these numbers of workers by  
14 building, you know, that is in the news story,  
15 my understanding is it did come from the  
16 Ruttenber data, and I think we need to  
17 basically understand whether, if there's any,  
18 I don't know if there's even a disparity here.

19 In fact, some of these buildings, some  
20 of the ones that Brant has mentioned like  
21 Building 112, they list 19 people. That's  
22 over 14 years. Maybe one person might have  
23 been in there and also working in other areas.  
24 We don't know exactly why these buildings  
25 might have come up for having some people



1                   badged for neutrons.

2                   So I think we want to, but this might  
3                   be better served to do a technical call.  
4                   Because also my understanding is that, from  
5                   talking with Margaret Brucely (ph) was that  
6                   all this data for the radiation side of their  
7                   study anyway, they did have, do, as Larry  
8                   said, some of chemical exposure information.  
9                   But all the radiation data she said came  
10                  directly from DOE. So if that's the case, we  
11                  should have the same data, and I just want to  
12                  make sure we're working with the same data and  
13                  interpreting it the same way.

14                 **DR. ULSH:** Yeah, the dosimetry data that Dr.  
15                 Ruttenber used came from two different  
16                 sources. One was the RHRS database and the  
17                 other was a database that was maintained by  
18                 Los Alamos. Both of those sources were  
19                 migrated into HIS-20 which as you know we  
20                 have. So we do have the raw data.

21                 Now the part that we may not have is  
22                 what Dr. Ruttenber did with it after he got it  
23                 in terms of putting it into a format that  
24                 would be useful for an epidemiological study,  
25                 and specifically the job exposure matrix that

1 he created dealing with toxics.

2 **MR. GRIFFON:** Right, right, that's kind of  
3 what she indicated to me was that the raw data  
4 you may all have, but assembling it in a  
5 usable fashion was a little bit of their value  
6 added.

7 **MR. ELLIOTT:** But there's a difference here,  
8 Mark, that we all should recognize. An  
9 epidemiologic study analysis file is  
10 completely different in its assemblage than  
11 what we would look to for dose reconstruction  
12 purposes.

13 **MR. GRIFFON:** Agreed. Agreed.

14 **DR. WADE:** This is Lew. We have three paths  
15 forward, I think. Let me just sort of put  
16 that forward. Brant is going to share with  
17 everyone on the call, interested parties, his  
18 brief description for the buildings in  
19 question, whatever information that he has.

20 Mark, it was suggested by Carolyn that  
21 you might want to contact the reporter and see  
22 if there were sources that could be made  
23 available to you all leading up to a technical  
24 call that I think, Mark, you would arrange --

25 **MR. GRIFFON:** Yeah.

1           **DR. WADE:** -- with the parties. And then  
2           after that call, it would be your choice as to  
3           whether you wanted to reconvene the work group  
4           or just how you wanted to proceed.

5           **MR. GRIFFON:** Yeah, I think that would be,  
6           you know, a technical call. And I did, like I  
7           said, briefly talk to Margaret Ruttenber and  
8           she seemed agreeable to that. So that way we  
9           can see. I just want to make sure that we can  
10          look at this and see if we're looking at the  
11          data in a similar fashion, and we can, because  
12          like I said several of these buildings have a  
13          very limited number of people showing  
14          monitoring in those time periods. And maybe  
15          we can sort some of those out.

16          **DR. WADE:** Your thoroughness is to be  
17          applauded I think. So I think those are the  
18          paths forward.

19                 Brant, you will share the information  
20          you have on the buildings.

21                 And, Mark, you'll decide what outreach  
22          you want to make to the reporter, and then  
23          you'll schedule a technical call.

24          **MR. GRIFFON:** That sounds like a reasonable  
25          path forward.

1                   Any of the other work group members  
2                   have any questions or comments?

3                   **MS. MUNN:** Yeah, Mark, this is Wanda. It  
4                   puzzles me why this list of supposedly new  
5                   buildings is appearing now. You know, we can  
6                   assume that any building on any site anywhere  
7                   can be pointed to and say there were people  
8                   who worked there. But when we're looking at  
9                   things like cafeterias and paint shops,  
10                  because that's what all of these buildings  
11                  are, and we're discussing specifically neutron  
12                  exposure, then it's baffling why individuals  
13                  might think that those were sources for  
14                  exposure.

15                  And unless there is some criterion  
16                  established somewhere that I'm unaware of, I  
17                  can't imagine, it's hard to imagine why that  
18                  type of building would be incorporated in a  
19                  potential exposure site. So it's easy to say  
20                  this is a potential exposure site. Without  
21                  concrete evidence that this is an exposure  
22                  site, then that does not appear to be any  
23                  basis for making that kind, taking that kind  
24                  of position.

25                  So I guess I'm not sure exactly how

1           you anticipate approaching that specific  
2           question, but it appears that that's the crux  
3           of the matter here. Why would anyone assume  
4           that these buildings are appropriately  
5           incorporated in what is considered to be a  
6           potential source for neutron exposure? Why?

7           **MR. GRIFFON:** Well, I guess that's the  
8           question, Wanda. Is, you know, I just have  
9           building numbers so it'd be very helpful to  
10          see descriptions. Part of this --

11          **MS. MUNN:** Even the descriptions themselves  
12          are not really the key. The key is why would  
13          anyone assume that this building is a source?

14          **MR. GRIFFON:** Because people were monitored  
15          for neutron exposures that were in that  
16          building apparently. That's the question.

17          **MR. ELLIOTT:** Or they worked in that  
18          building, they were assigned to that building  
19          like the paint shop --

20          **MR. GRIFFON:** But they might have went to  
21          other places --

22          **MR. ELLIOTT:** -- they went out on a, they  
23          were to go over and paint in some other  
24          building where plutonium was processed, and  
25          they were badged for that activity.

1           **MR. GRIFFON:** Yeah, that seems like a  
2           logical explanation, Larry, so that's what we  
3           have to see. If there's a logical explanation  
4           for all these, then we have a response. I  
5           mean, I think part of -- and we have to just  
6           make sure that criteria, the three-step  
7           criteria you mentioned, is going to accomplish  
8           the goal that we wanted in our original SEC  
9           class.

10                       So I think some of these may, you  
11           know, you look at them and you say that very  
12           few people in 14 years were monitored in that  
13           building, it's likely that the building wasn't  
14           a source necessarily. And maybe they can be  
15           readily explained by the description of the  
16           buildings, you know, the activities.

17           **MS. MUNN:** Well, it would be helpful to have  
18           them, and I suppose any judgment prior to that  
19           is really preliminary.

20           **MS. ALBERG:** Mark, this is Jeanette with  
21           Senator Allard's office, and the third  
22           criteria as I wrote it down was employment in  
23           a PU building or a building with PU exposures.  
24           Now any of those 19 buildings, is that the  
25           argument that these 19 buildings had possible

1           PU exposures? And does then Labor then have  
2           to basically change that qualification?

3           **MR. GRIFFON:** Well, I guess that's the  
4           question is, see, the way these numbers were  
5           derived my understanding is that it was just  
6           the people assigned to those buildings were  
7           monitored for neutron exposures at some point.  
8           And it's not clear that they got the neutron  
9           exposures working in those buildings  
10          necessarily.

11                 As Larry just indicated they could  
12          have been assigned to that building and sent  
13          out to work in other plutonium areas or  
14          buildings where neutron exposures could have  
15          occurred. So that's what we want to sort of  
16          run down. Is this really a lot of additional  
17          buildings or is this really the same set of  
18          facts just with this question of where people,  
19          you know, were assigned work versus where they  
20          were exposed.

21           **MR. ELLIOTT:** That third criterion of  
22          employment in a building identified as a  
23          plutonium building, I did not mention that  
24          there were nine specific buildings identified  
25          for DOL as being plutonium processing

1 buildings --

2 **MR. GRIFFON:** Larry, could you --

3 **MR. ELLIOTT:** -- nine are listed in this  
4 technical bulletin.

5 **MR. GRIFFON:** Could you send that technical  
6 bulletin to all of us? I'm sure it's  
7 available somehow, but I'm not. Could you  
8 forward --

9 **MR. ELLIOTT:** I think I've already done  
10 that, but I will resend it.

11 **MR. GRIFFON:** I'd appreciate it. Yeah,  
12 that'd be helpful.

13 **MS. ALBERG:** Larry, if you could send it to  
14 the Congressional delegation that would be  
15 nice, too. Thank you.

16 **MR. ELLIOTT:** Will do.

17 **MR. BROEHM:** Larry, this is Jason. If you  
18 would send it to me, I'll get it to everyone.

19 **MR. ELLIOTT:** Okay.

20 **MR. GRIFFON:** So I think that as Lew stated,  
21 I think that's our best path forward for now.  
22 And I just wanted to do a call today so we  
23 could at least maybe give an update on the  
24 full Board meeting tomorrow, the full Board  
25 meeting phone call as to what we're doing with



1           this. I know it's certainly a concern to some  
2           people, and we want to address it as quickly  
3           as we can. And that's the purpose of this  
4           call.

5                       So Brant's going to forward the  
6           building description. Larry's going to  
7           forward the criteria that he outlined. I will  
8           contact Laura Franks and then from there I'll,  
9           considering now setting up a technical phone  
10          call which would be NIOSH with Margaret  
11          Ruttenber most likely along with DOL. I think  
12          that was a good suggestion.

13                      And if everyone's agreeable, I'll stay  
14          on the call just to monitor for the work  
15          group. But just to have this, I think that's  
16          where I want to get into the details of what  
17          database is everybody looking at, where are  
18          these numbers coming from, and then reconvene  
19          the work group if needed after that.

20               **DR. WADE:** Sounds like a plan, Mark.

21               **MS. BARRIE:** Mark, this is Terrie Barrie  
22          with ANWAG. And I just want to raise a couple  
23          of issues. You keep talking about that  
24          plutonium building, the ones that are the  
25          source for neutron radiation. Isn't it

1 correct that highly enriched uranium also  
2 (unintelligible) neutrons?

3 And the second item I want to raise to  
4 you is I checked the 19 buildings that was in  
5 the, as Laura Franks reported being omitted.  
6 And I found or I couldn't find nine of those  
7 buildings listed on the site profile. And one  
8 of them is --

9 **MR. GRIFFON:** I think, Terrie, I'll let  
10 NIOSH respond to this, too, but I think that  
11 the presence in a plutonium building was one  
12 of their criteria, not meant to be all  
13 inclusive. So you are correct. There are  
14 other sources of, other potential sources of  
15 neutron exposures, but that was one of their  
16 criteria.

17 Larry or Brant, you can respond to  
18 that.

19 **DR. ULSH:** I'll speak to it, Mark.

20 Terrie, in terms of the sources of  
21 significant neutrons at Rocky Flats, primarily  
22 you're talking about anywhere where there was  
23 a significant quantity of plutonium, so the  
24 700 buildings primarily but not only. Also  
25 there was a neutron generating source in

1 Building 991. And both of those I just  
2 mentioned are already included in the NDRP and  
3 included in the class.

4 Now in terms of enriched uranium that  
5 was in Building 881, enriched uranium  
6 operation. So it's kind of academic at this  
7 point because they've already added that.  
8 However, just to answer your question there  
9 was enriched uranium metal there. Though it  
10 is certainly true that some chemical forms of  
11 uranium can generate neutrons, for instance  
12 uranium hexafluoride, but those are not the  
13 forms that were present at Rocky Flats.  
14 Enriched uranium metal doesn't put out many  
15 neutrons at all. In fact, you would be very  
16 concerned if it did from a criticality  
17 standpoint. So, no, the major sources of  
18 neutrons at Rocky were the plutonium and that  
19 neutron generator in Building 991.

20 Oh, and then you also asked about the  
21 site profile. You are correct. I also looked  
22 at the site profile just this morning again.  
23 And the purpose of the site profile is  
24 primarily to list the major buildings and that  
25 is a somewhat subjective criteria. So

1 obviously you would want to talk about  
2 Building 881, Building 771. Some of the  
3 smaller buildings were not discussed in the  
4 site profile. You're correct about that.

5 The place that I got my descriptions  
6 this morning is -- and I'll also send this out  
7 to the web address -- the historical American  
8 engineering record, and that's got a more  
9 complete description than the site profile  
10 does.

11 **MR. GRIFFON:** Actually, and I remember that  
12 link being discussed during the work group  
13 meetings. Previously we looked at some of  
14 those links. You shared those with us for  
15 some of the other buildings.

16 So I think that's if that's okay with  
17 the work group, I think that will be our path  
18 forward.

19 **MS. MUNN:** This is Wanda. Mark, when you  
20 make your call to the media folks, is it  
21 possible for me to join you on that call? I'd  
22 certainly like to hear personally what's going  
23 on. Just let me know when you're going to  
24 make it.

25 **MR. GRIFFON:** Yeah, I don't see a problem

1 with that, Wanda. Yeah, I can do a three-way  
2 call with you.

3 **MS. MUNN:** I don't know when or whether I'll  
4 be available, but if --

5 **MR. GRIFFON:** Okay, I'll try to get you on  
6 the call.

7 Okay so --

8 **DR. WADE:** I think we're done then.

9 **MR. GRIFFON:** I think we're done. I  
10 appreciate everyone's time and I'll give a  
11 brief report tomorrow to the full Board on  
12 what we're doing. And I'll try to make this,  
13 these two calls, contacting Laura Franks and  
14 the technical call, and do it quickly in the  
15 near future so we can answer some of these  
16 questions.

17 **MS. MUNN:** That's great.

18 Lew and Christine, may I speak with  
19 you for a few minutes after everybody's off  
20 the line?

21 **DR. WADE:** Surely.

22 **MR. GRIFFON:** Thank you, everyone.

23  
24 (Whereupon, the working group meeting  
25 concluded at 10:40 a.m.)

**CERTIFICATE OF COURT REPORTER****STATE OF GEORGIA****COUNTY OF FULTON**

I, Steven Ray Green, Certified Merit Court Reporter, do hereby certify that I reported the above and foregoing on the day of Nov. 26, 2007; and it is a true and accurate transcript of the testimony captioned herein.

I further certify that I am neither kin nor counsel to any of the parties herein, nor have any interest in the cause named herein.

WITNESS my hand and official seal this the 20th day of February, 2008.

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